

# INITIAL SCREENING OF INCOMING PAPERS CHECKLIST

Reviewer: CRB

Date: 10/5/05

APPLICATION NO. 09/845726

1. PETITION TYPE	CODE	PETITION TYPE	CODE
<u>    </u> R137(a) Petition-----	501	<u>    </u> R28c Petition (small to large)---	321
<u>    </u> R137(a) Petition -----	509	<u>    </u> R28c Petition (large to small)---	320
(Issue Fee/Dwgs)		<u>    </u> R47 Petition-----	313
<u>✓</u> R137(b) Petition-----	502	<u>    </u> R53 Petition(Lost App., postcard	
<u>    </u> R137(b) Petition (IFEE/DWG)-----	510	rec., inc. by ref., conversions,	
		misnum/mislabel. dwgs-----	408
<u>    </u> R53(e) Filing Date-----	412	<u>    </u> R10(d) Exp. Mail FD (USPS)-----	411
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<u>    </u> R183 Pet. (waive R67 sup. dec.)- 516		<u>    </u> R53 Pet. conv. to/from prov.----	527
<u>    </u> R182 Petition--(inv. name chg., order		<u>    </u> R78(a)(3)/(6)Petition-----	535
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<u>    </u> R182 Petition - (omit.items		<u>    </u> R183 Petition	
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<u>    </u> R183(susp./waive ex. rule, R59)--503		<u>    </u> R314 Petition-----	508
<u>    </u> R378(b/e) Petition-----	532	<u>    </u> Pet. W/D Abn-----	525
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<u>    </u> R377 Petition-----	521	<u>    </u> R705(d) PTA-Aft iss-----	551
<u>    </u> R3.81(b) Petition-----	523	<u>    </u> R705(c) Reinstate red. term.----	552
<u>    </u> R181 Petition (rev. non-exam)----	515	<u>    </u> R701 PTE -----	553
<u>    </u> R181 Petition (rev.exam) -----	504	<u>    </u> Other _____	

## 2. LIST PAPERS FILED WITH PETITIONS

<u>✓</u> PreAmdt/Amdt	<u>    </u> CPA	<u>    </u> Associate POA
<u>    </u> Filing Fees	<u>    </u> RCE	<u>✓</u> Terminal Disclaimer
<u>    </u> Reply/Arguments	<u>    </u> IDS	<u>    </u> Change of Address
<u>    </u> Election	<u>    </u> 129(a) Submsn	<u>    </u> Revocation/POA
<u>    </u> Notice of Appeal	<u>    </u> Issue Fee	<u>    </u> Priority Documents
<u>    </u> Brief (3)	<u>    </u> Drawings	<u>    </u> Request C of C
<u>    </u> Reply Brief	<u>    </u> Oath/Decl & POA	<u>    </u> Rule 312 Amdt
<u>    </u> Declaration R132	<u>    </u> Ext Time ( )	<u>    </u> Statement 3.73b

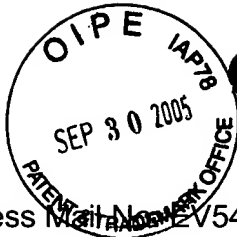
Other Papers \_\_\_\_\_

3. Is paper a petition to withdraw holding of abandonment:      yes      no  
If so, send paper and/or file to appropriate location (*Note: remove any flag set first*):

- Nonreceipt of action from TC or assertion that reply was timely filed:  
Send paper to TC \_\_\_\_\_
- Nonreceipt of Missing Parts Notice or assertion that reply was timely filed:  
Send paper to -OIPE - -CP2-5B26- - ATTN: Doshie Day
- Assertion of timely payment of issue fee and/or submission of drawings:  
Send petition to Office of Publications: ATTN: Tom Hawkins
- Other \_\_\_\_\_

4. Other: \_\_\_\_\_  
If not handled in Office of Petitions, send paper to appropriate location.

5. Is petition accompanied by assignment papers, fee address, or other paper which needs to be sent to another location?      yes      no If so, make copy of assignment papers, fee address, or other paper; mail original to proper location and place copy in file with an indication that the original paper(s) has been forwarded to the appropriate location (Assignment Branch; Maintenance Fee Division, etc.)



10-03-05

DAC

#18

Express Mail No. EV546915114US

PTO/SB/64 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

2132.033

First named inventor: George Jackowski

Application No.: 09/845,726

Art Unit: 1641

Filed: 04/30/2001

Examiner: Bao-Thuy L. Nguyen

Title: Biopolymer marker indicative of disease state having a molecular weight of 1424 daltons

Attention: Office of Petitions

**Mail Stop Petition**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 308-6916

**RECEIVED**

OCT 05 2005

**OFFICE OF PETITIONS**

NOTE: If information or assistance is needed in completing this form, please contact Petition Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

## 1. Petition fee

☒ Small entity-fee \$ 750.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☐ Other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))

## 2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Amendment (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_  
☒ is enclosed herewith.

B. The issue fee of \$ \_\_\_\_\_.

- ☐ has been paid previously on \_\_\_\_\_  
☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

### 3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☒ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ 65.00 for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

9/30/2005  
Date

Ferris H. Lander  
Signature

Telephone  
Number: 561-625-6575

Ferris H. Lander  
Typed or printed name

2855 PGA Blvd.  
Address

Palm Beach Gardens, FL 33410  
Address

Enclosures: ☒ Fee Payment

☐ Reply

☒ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☒ Other: Amendment

### CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

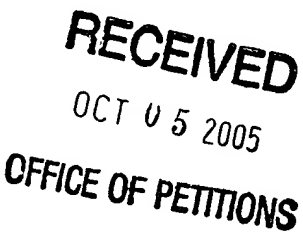

\_\_\_\_\_  
Type or printed name of person signing certificate

Express Mail No. EV546915114US

PTO/SB/63 (09-04)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to a collection of information unless it displays a valid OMB control number.

<b>TERMINAL DISCLAIMER TO ACCOMPANY PETITION</b>		Docket Number (Optional) 2132.033
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In re Application of:

Name: George Jackowski

Application Number: 09/845,726

Filed: 04/30/2001

For: Biopolymer marker indicative of disease state having a molecular weight of 1424 daltons

The owner\*, Syn X Pharma, Inc. of 100 percent interest in the above-identified application hereby disclaims a terminal part of the term of any patent granted the above-identified application equivalent to: (1) if the above-identified application is a design application, the period of abandonment of the above-identified application, and (2) if the above-identified application is a utility or plant application, the lesser of: (a) the period of abandonment of the application; or (b) the period extending beyond twenty years from the date on which the above-identified application was filed in the United States or, if the application contains a specific reference to an earlier filed application(s) under 35 U.S.C. 120, 121, or 365(c), from the date on which the earliest such application was filed. This disclaimer also applies to any patent granted on a utility or plant application filed before June 8, 1995, or a design application, that contains a specific reference under 35 U.S.C. 120, 121, or 365(c) to the above-identified application. This disclaimer is binding upon the grantee, and its successors or assigns.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

2. ☒ The undersigned is an attorney or agent of record. Registration Number 43,377

Ferris H. Lander Signature 9/30/2005 Date

Ferris H. Lander Typed or Printed Name (561) 625-6575 Telephone Number

☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

\* Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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